Page 1 of 2 FFB 0 9 2006

附Ě UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Weichang Zhou et al

Serial No.

10/509.302

Filed: September 23, 2004

For: Large scale methods of producing adenovirus and

adenovirus seed stocks

Art Unit:	1645	

Examiner: To Be Assigned

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

au Date 128.6,2016

**RELATED APPLICATION** 

**MERCK CASE** 

**FILING DATE** 

## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited
by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120
are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

U. S. SERIAL NUMBER

If th	is is inconvenient, additional copies will be submitted upon reques	t.					
6	6. In accordance with 37 C.F.R. 1.97, (check one)						
	the attached information is filed within three months of the filing da	te of the captioned case.					
$\checkmark$	the attached information is filed more than three months after the f Office Action on the merits.	iling date but prior to the m	ailing of a first				
	the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.						
	the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).						
	each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.						
	each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.						
	no item of information contained in this Information Disclosure Sta foreign patent office in a counterpart foreign application, and, to th after making reasonable inquiry, was known to any individual designants prior to the filing of this Statement.	e knowledge of the person	signing the certification				
		Doon a offully as howitted					

Respectfully submitted,

By: J. Mark Hand

Attorney For Applicant(s)

Reg. No. 36,545

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-3905

Date: \_\_

							Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE	
	Substitute fo	r form 1449A/PTO			•	4:	COMPLETE IF KNOWN	<u> </u>
	INFO	RMATION	DIS	CLOSURE		Application Number	10/509,302	
	O E STATI	EMENT DV	7 A D	DI ICANT		Filing Date	September 23, 2004	
<b>6</b>	P E STATEMENT BY APPLICANT					First Named Inventor	Weichang Zhou et al	
	2006					Group Art Unit	1645	
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STERT	Sheen	1	of	2		Attorney Docket Number	21069P	_
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			U.S. PA	ATENT DOCUMENTS	
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Α	6,194,191 B1		Zhang et al	02/27/2001
	В	4,072,565		Weiss et al	02/07/1978
	С	4,080,258		McAleer et al	03/21/1978
	D	5,837,520		Shabram et al	11/17/1998
	Е	5,994,134		Giroux et al	11/30/1999
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	I	4,055,466		Torney et al	10/25/1977
	J	6,261,823 B1		Tang et al	07/17/2001
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	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Office	Foreign Patent Document  Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
	Α	PCT	WO 02/22080 A2		Merck & Co., Inc	03/21/2002		
	В	PCT	WO 01/02607 A1		Merck & Co., Inc	01/11/2001		
					N I			

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005)

Examiner Signature

Date Considered

Substitute for form 1449B/PTO			4	, 😘	COMPLETE IF KNOWN	
	INFORMATION DISCLOSURE				Application Number	10/509,302
					Filing Date	September 23, 2004
ં	STATEMENT BY APPLICANT				First Named Inventor	Weichang Zhou et al
	,		,		Group Art Unit	1645
(use as many sheets as necessary)					Examiner Name	To Be Assigned
Sheet	2	of	2		Attorney Docket Number	21069P

	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.						
	A	Bett A.J et al., "An efficient and flexible system for construction of adenovirus vectors with insertions or deletions in early regions 1 and 3", Proc. Natl. Acad. Sci. USA, Vol 91, pp 8802-8806, Sept 1994						
	В	Huyghe B.G. et al., "Purification of a Type 5 Recombinant Adenovirus Encoding Human p53 by Column Chromatography", Human Gene Therapy, Vol 6, pp 1403-1416, Nov 1995						
	С	Murhammer et al. 'Scaleup of Insect Cell-Cultures - Protective Effects of Pluronic-F-68', Bio-Technology, 6(12); p1411 (1988)						
		7.						

Examiner Signature	Date Considered	

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.